

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

**JIMMIE CARTER SMITH, INDIVIDUALLY
AND IN HIS CAPACITY AS ADMINISTRATOR
OF THE ESTATE OF JIMMIE LEE CARTER
AND NINA WILLIS CARTER, INDIVIDUALLY
AND WIFE AND HEIR AT LAW OF JIMMY LEE
CARTER, DECEASED,**

PLAINTIFFS,

VS.

CIVIL ACTION NO. 2:06CV212-P-A

**CANADIAN NATIONAL / ILLINOIS CENTRAL
RAILROAD, A/K/A CANADIAN NATIONAL
RAILROAD, A/K/A ILLINOIS CENTRAL
RAILROAD; JOHN DINNING, INDIVIDUALLY
AND IN HIS OFFICIAL CAPACITY AS AN
EMPLOYEE OF ILLINOIS CENTRAL RAILROAD,**

DEFENDANTS.

ORDER OF REMAND

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND
ADJUDGED** that:

(1) Defendant Illinois Central Railroad's motion to strike the plaintiffs' reply brief [15-1]

is **GRANTED**; therefore,

(2) Defendant Illinois Central Railroad's motion to strike Exhibit C to plaintiff's reply

brief [26-1] is **DENIED AS MOOT**;

(3) Plaintiffs' Motion to Remand to State Court [7-1] is **GRANTED**; therefore,

(4) This case is **REMANDED** to the Circuit Court of Tallahatchie County, Mississippi

from whence it came; and

(5) This case is **CLOSED**.

SO ORDERED this the 26th day of March, A.D., 2007.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE